

App. Serial No. 10/530,304
Docket No.: NL020953

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Remarks

Claims 1-6 and 8-16 are currently pending in the patent application. For the reasons and arguments set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The instant Office Action dated April 4, 2007 indicated an objection to the specification because of the lack of section headings, an objection to the drawings under 37 C.F.R. 1.83(a), an objection to claim 7, and listed the following rejections: claims 1 and 2 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Huang *et al.* (U.S. Patent No. 6,249,433); claims 3, 6 and 8 stand rejected under 35 U.S.C. § 103(a) over Huang *et al.* in view of Polese *et al.* (U.S. Patent No. 5,972,737); and claim 9 stands rejected under U.S.C. § 103(a) over Huang *et al.* in view of Polese *et al.* as applied to claim 8 above, and further in view of Sun (U.S. Pub. No. 2004/0042153). Claims 4, 5, 7 and 10 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form.

Applicant appreciates the potential allowability of claims 4, 5, 7 and 10. In view of the potential allowability of these claims, Applicant has amended claim 1 to incorporate limitations of claim 7 (which depends from claim 1), and Applicant has amended claim 8 to incorporate limitations of claim 10 (which depends from claim 8). Applicant has also added new claims 11-16. Independent claim 11 incorporates limitations of claims 1 and 4, and dependent claims 12-16 contain limitations corresponding to those found in claim 2, 3 and 5-7 respectfully. Applicant respectfully submits that, consistent with the reasons for the allowability of claims 4, 7 and 10 in instant Office Action, claims 1-6 and 8-16 are in condition for allowance over the cited references.

Applicant notes that minor amendments have been made to claims 2 and 4-5 to improve readability.

Regarding the Office Action's suggestion to add section headings, Applicant respectfully declines because the indicated suggestions in 37 C.F.R. § 1.77(b) are not statutorily required for filing a non-provisional patent application under 35 USC § 111(a), but per 37 C.F.R. § 1.51(d) are only guidelines that are suggested for Applicant's use.

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The section headings are not mandatory, and in fact when Rule 77 was amended in 1996 (61 FR 42790, Aug. 19, 1996), Bruce A. Lehman, Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, stated in the Official Gazette:

"Section 1.77 is permissive rather than mandatory. ... 1.77 merely expresses the Office's preference for the arrangement of the application elements. The Office may advise an applicant that the application does not comply with the format set forth in 1.77, and suggest this format for the applicant's consideration; however, the Office will not require any application to comply with the format set forth in 1.77."

In view of the above, Applicant prefers not to add section headings.

Regarding the objection to the drawings, Applicant submits that the drawings are in compliance with C.F.R. § 183(a). For example, Applicant's Figure 3 shows a further electrically conductive bottom plate 1' and a further semiconductor element 2', which are surrounded by resin envelope 4. Therefore, Applicant requests that the objection to the drawings be removed.

Regarding the objection to claim 7, Applicant notes that claim 7 has been cancelled. However, Applicant has made minor amendments to limitations of claim 7 (which have been incorporated into claim 1 as discussed above) consistent with those suggested by the Examiner in paragraph 3 on page 5 of the instant Office Action. Accordingly, the objection to claim 7 is moot.

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063 (or the undersigned).

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